

INTERNATIONAL PROTOCOL, 1901

(Signed at Peking, 7th September 1901.)

The Plenipotentiaries: —

Of Germany	His Excellency	A. Mumm von Schwarzenstein;
Of Austro-Hungary	His Excellency	Czikann de Wahlborn
Of Belgium	His Excellency	M. Joostens
Of Spain	His Excellency	M. B.J. de Cologan
Of United States of America	His Excellency	M. W.W. Rockhill
Of France	His Excellency	M. P. Beau
Of Great Britain	His Excellency	Sir Ernest Satow
Of Italy	His Excellency	Marquis Salvago Raggi
Of Japan	His Excellency	M. Jiutaro Komura
Of Holland	His Excellency	M. F.M. Knobel
Of Russia	His Excellency	M. M. de Giers

and Of China: His Highness I-Kuang, Prince of the First Rank Ching, President of the Ministry of Foreign Affairs; and His Excellency Li Hung-chang, Earl of the First Rank Su-i, Tutor of the Heir Apparent, Grand Secretary of the Wen Hua Tien, Minister of Commerce, Superintendent of the Northern Ports, and Governor General of the province of Chihli;

have met in order to establish that China has announced her agreement to the satisfaction of the Powers, with the the conditions which are set forth in the note of 22nd December, 1900, which were accepted as a whole by His Majesty the Emperor of China by an Edict of 27th December 1900 (Annex 1).

Article I.

(a.) By an Imperial Edict of 9th June of this year (Annex 2), Tsai Feng, Prince of the First Rank Chun, has been appointed Ambassador of His Majesty the Emperor of China, and in this capacity has been commanded to express to His Majesty the Emperor of Germany the regret of His Majesty the Emperor of China and the Chinese Government for the death of the German Ambassador, His Excellency Baron von Ketteler.

Prince Chun left Peking on the 12th July of this year to carry out the mission entrusted to him.

(b.) The Chinese Government has announced that it will erect, on the spot of the murder of His Excellency Baron von Ketteler, a Memorial Monument corresponding to the rank of the deceased, with an inscription in Latin, German, and Chinese, which shall express the regret of His Majesty the Emperor of China for the murder done.

Their Excellencies the Chinese Plenipotentiaries have informed His Excellency the German Plenipotentiary by a letter of 22nd July of this year (Annex 3), that an arch will be erected across the entire breadth of the street on the spot mentioned and that the work was begun on the 25th June last.

Article II.

(a.) Imperial Edicts of the 13th and 21st February, 1901 (Annexes 4, 5 and 6), pronounced the following punishments upon the chief culprits for the attacks and crimes which took place against the friendly Governments and their subjects:

Tsai Ti, Prince Tuan, and Tsai Lan, Duke Fu Kuo, were sentenced to death at the time of the autumn assizes, and it was further determined that if the Emperor saw fit to grant them their lives, they should be banished to Turkestan and there imprisoned for life, with no possibility that the punishment should ever be commuted.

Tsai Hsün, Prince Chuang, Ying Nien, President of the Board of Censors, and Chao Shu-chiao, President of the Board of Punishments, were condemned to commit suicide.

Yü Hsien, Governor of Shansi, Ch'i Hsiu, President of the Board of Ceremonies, and Hsü Cheng-yü, formerly Senior Vice-President of the Board of Punishments, were condemned to death.

Posthumous degradation was pronounced against Kang Yi, Assistant Grand Secretary and President of the Board of Civil Office, Hsü Tung, Member of the Grand Secretariat, and Li Ping-heng, formerly Governor-General of Szechuan.

An Imperial Edict of 13th February, 1901 (Annex 7), rehabilitated the memories of the President of the Board of War, Hsü Yung-yi; the President of the Board of Revenue, Li Shan; the Senior Vice-President of the Board of Civil Office, Hsü Ching-ch'eng; the Vice-Chancellor of the Grand Secretariat, Lien-yuan; and the Vice-President of the Court of Sacrifices, Yuan Chang, who were executed because they protested against the unheard-of offences against international rights which took place during the last year.

Prince Chuang committed suicide on the 21st February, 1901; Ying Nien and Chao Shu-chiao on the 24th; Yü Hsien was executed on the 22nd February, 1901; Ch'i Hsiu and Hsü Cheng-yü on the 26th.

The General of Kansu, Tung Fu-hsiang, has been deprived of his office by Imperial Edict of 13th February, 1901, until it shall be decided what final punishment shall be pronounced against him.

Imperial Edicts of 20th April, and of 19th August, 1901, have pronounced suitable punishments against Provincial authorities who have confessedly been guilty of crimes or murder during the course of last summer.

(b.) An Imperial Edict promulgated on the 19th August, 1901 (Annex 8), has ordered the suspension of the official examinations during five years, in all towns where foreigners were murdered or were subjected to harsh treatment

Article III.

In order to make suitable amends for the murder of Mr. Sugiyama, Chancellor of the Japanese Legation, His Majesty the Emperor of China, by an Imperial Edict of 18th June, 1901 (Annex 9), has appointed the Vice-President of the Ministry of Finance, Na T'ung, an Extraordinary Ambassador, and specially commanded him to convey to His Majesty the Emperor of Japan the expression of the regret of His Majesty the Emperor of China and His Government for the murder of Mr. Sugiyama.

Article IV.

The Chinese Government has agreed to erect an expiatory monument in each of the foreign or international cemeteries which has been desecrated or in which grave monuments have been destroyed.

It has been agreed with the Representatives of the Powers that the interested Legations shall settle the details for the erection of these monuments, China bearing all the expenses thereof, estimated at 10,000 taels for the cemeteries at Peking and within its environs, and at 5,000 taels for the cemeteries in the provinces. These amounts have been paid, and the list of these cemeteries is attached hereto (Annex 10).

Article V.

China has agreed to forbid the import into its territory of arms and ammunition, as well as of all material exclusively employed for the manufacture of arms and ammunition.

An Imperial Edict has been issued on 25th August, 1901 (Annex 11), forbidding such importation for two years.

Further Edicts may be promulgated in the future in order to extend this period every two years, in case the Powers deem it necessary.

Article VI.

In an Imperial Edict of 22nd May, 1901 (Annex 12), His Majesty the Emperor of China has agreed to pay the Powers an indemnity of 450 millions Haikuan taels. This sum represents the total of the indemnity for the States, companies or societies, individuals and Chinese which are mentioned in Article VI of the note of 22nd December, 1900.

(a.) These 450 million taels constitute a debt in gold for which the rate of the Haikuan tael is calculated in the gold currency of each country in the following manner: —

One Haikuan tael	= Marks	3.055
	= Austro-Hungarian Kroners	3.595
	= Gold Dollar	0.072
	= Francs	3.750
	= Pound Sterling, Shanghai	3s 0p
	= Yen	1.407
	= Gold Rouble (at the rate of dolia fine 17.424)	1.412

This sum in gold will bear interest at the rate of four per cent. a year and the principal is to be reimbursed by China in thirty-nine years on the conditions indicated in the plan of amortisation annexed hereto (Annex 13). The capital and interest will be payable in gold or at the rate of exchange prevailing on the different dates at which the payments fall due.

The amortisation will commence on the 1st January, 1902, and end at the expiration of the year 1940. The amortisations will be payable annually, the first date of maturity being fixed as the 1st January, 1903.

Interest will run from the 1st of July, 1901; but the Chinese Government shall have the right to pay off within a term of three years, beginning January 1, 1902, the arrears of the first six months, ending the 31st of December, 1901, on condition, however, that it pay compound interest at the rate of 4 per cent. per annum on the sums the payments of which shall have thus been deferred. Interest shall be payable semi-annually, the first payment being due on the 1st of July, 1902.

(b.) The service of the debt will be effected at Shanghai, in the following manner:

Each power will be represented by a delegate on a Commission of bankers authorised to receive the amount of interest and amortisation which shall be paid to it by the Chinese authorities designated for that purpose, to divide it among the interested parties, and to give a receipt for the same.

(c.) The Chinese Government shall deliver to the Dean of the Diplomatic Corps at Peking a bond for the lump sum, which will subsequently be converted into fractional bonds bearing the signatures of the delegates of the Chinese Government designated for that purpose. This operation and all those relating to the issue of the bonds will be performed by the abovementioned Commission, in accordance with the instructions which the Powers shall send their delegates.

(d.) The proceeds of the revenues assigned to the payment of the bonds shall be paid monthly to the Commission.

(e.) The revenues assigned as security for the bonds are the following:

1. The balance of the revenues of the Imperial Maritime Customs, after payment of the interest and amortisation of preceding loans secured on these revenues, plus the proceeds of the increase to five per cent. effective of the present tariff on maritime imports, including articles hitherto on the free list, with the exception of rice, cereals, and flour of foreign origin, as well as of gold and silver, minted or unminted.

2. The revenues of the native customs, administered in the open ports by the Imperial Maritime Customs.

3. The total revenues of the gabelle [salt tax], exclusive of the fraction previously set aside for other foreign loans.

The raising of the present tariff on imports to five per cent. effective is agreed to on the conditions mentioned below.

It will be put in force two months after the signing of the present protocol, and no exceptions shall be made save for merchandise shipped not more than ten days after that date.

1°. All duties on imports levied *ad valorem* shall be converted as far as possible and as soon as may be into specific duties. This conversion will be made in the following manner: The average value of merchandise at the time of its unloading during the three years 1897, 1898, and 1899, that is to say, the market price less the amount of import duties and incidental expenses, shall be taken as the basis for the valuation of merchandise. Pending the result of the work of conversion, duties shall be levied *ad valorem*.

2°. The beds of the rivers Peiho and Whangpu will be improved with the financial participation of China.

Article VII.

The Chinese Government has agreed that the quarter occupied by the Legations shall be considered as a quarter specially reserved to their usage and placed under their exclusive police, where Chinese shall not have the right to reside, and which may be put into a state of defence.

The limits of this quarter have been fixed as follows on the plan attached hereto (Annex 14).

On the west, the line 1, 2, 3, 4, 5;

On the north, the line 5, 6, 7, 8, 9, 10;

On the east, Ketteler Street: 10, 11, 12;

On the south, the line 12—1, drawn along the outer base of the Tartar Wall, taking in the bastions.

By the protocol attached to the letter of 16th January, 1901, China has recognised that each Power has the right to retain a permanent guard in the said quarter for the defence of its Legation.

Article VIII.

The Chinese Government has consented to have the Taku forts razed, and those which might impede free communication between Peking and the sea.

Steps have been taken to this effect.

Article IX.

The Chinese Government has recognised that the Powers, by the protocol annexed to the letter of the 16th January, 1901, have the right to occupy certain points to be determined by agreement between them, in order to maintain free communication between the capital and the sea.

The points occupied by the Powers are: — Huangtsun, Langfang, Yangtsun, Tientsin, Ch'enliangch'eng, Tangku, Lutai, Tangshan, Lanchow, Changli, Chinwangtao, Shanhaikuan.

Article X.

The Chinese Government has engaged to post and publish during two years in all the district towns the following Imperial Edicts: —

(a.) Edict of the 1st February, 1901 (Annex 15), perpetually forbidding, under pain of death, membership in an anti-foreign society;

(b.) Edicts of 13th and 25th February, 29th April, and 19th August, 1901, containing the enumeration of the punishments which have been inflicted on the guilty;

(c.) Edict of the 19th August, 1901, suspending the examination in all the towns where foreigners have been massacred or have been subjected to cruel treatment;

(d.) Edict of 1st February, 1901 (Annex 16), declaring that all the Governors-General, Governors and functionaries, provincial or local, are responsible for order in their districts and that, in case of a renewal of anti-foreign troubles, or of other infractions of the treaties, which are not immediately repressed, and of which those guilty shall not have been punished, these functionaries will be immediately dismissed, and shall not be appointed to new positions nor receive new honours.

The posting of these Edicts is being progressively carried out throughout the Empire.

Article XI.

The Chinese Government has undertaken to negotiate such amendments to the treaties of commerce and navigation as have been judged desirable by the Foreign Governments, as well as other subjects touching commercial relations, with the view of facilitating these.

At present, and in consequence of the stipulations inscribed in Article VI on the subject of the indemnities, the Chinese Government has engaged to co-operate in the amelioration of the course of the rivers Peiho and Whangpu, as stated below.

(a.) The works for the improvement of navigation in the Peiho, begun in 1898 with the co-operation of the Chinese Government, have been resumed under the direction of an international Commission. As soon as the administration of Tientsin shall have been handed back to the Chinese Government, the latter will be able to have a representative on this Commission, and will pay each year a sum of sixty thousand Haikuan taels for continuing the works.

(b.) A River Board, charged with the management and control of the work of straightening the Whangpu and improving the course of that river, is hereby created.

This Board shall consist of members representing the interests of the Chinese Government and those of foreigners in the shipping trade of Shanghai. The expense to be incurred for the works and the general management of the undertaking is estimated at the

annual sum of four hundred and sixty thousand Haikuan taels for the first twenty years. This sum will be supplied in equal portions by the Chinese Government and the foreign interests concerned. Detailed stipulations concerning the composition, duties, and revenues of the River Board are embodied in Annex 17.

Article XII.

An Imperial Edict of 24th July, 1901 (Annex 18), has reorganised the Office of Foreign Affairs (Tsunqli Yamen) along lines indicated by the Powers, that is to say, has transformed it into a Ministry of Foreign Affairs (Wai-wu-pu), which takes precedence over the other six Ministries of State.

The same Edict named the principal members of this Ministry.

An accord has been similarly established on the subject of the modification of the ceremonial of the Court relative to the reception of the Foreign Representatives, and has been the subject of several notes from the Chinese Plenipotentiaries, the substance of which is embodied in a memorandum herewith (Annex 19).

Finally, it is expressly understood that, for the declarations above named and the documents attached emanating from the Foreign Plenipotentiaries, the French text is alone authoritative.

The Chinese Government having thus complied, to the satisfaction of the Powers, to the conditions enumerated in the aforesaid Note of 22nd December, 1900, the Powers have acceded to the desire of China to see the situation created by the disorders of the summer of 1900 come to an end.

In consequence whereof the Foreign Plenipotentiaries are authorised to declare, in the name of their Governments, that, with the exception of the Legation Guards mentioned in Article VII, the international troops will completely evacuate the city of Peking on the 17th September, 1901, and, with the exception of the places mentioned in Article IX, will retire from the province of Chihli on the 22nd of September, 1901.

The present Final Protocol has been drawn up in twelve identic copies and signed by all the Plenipotentiaries of the Contracting Countries. One copy will be given to each of the Foreign Plenipotentiaries and one copy will be given to the Chinese Plenipotentiaries.

Peking, 7th September, 1901.

(Signed)	A. von Mumm.	[Seal]
	M. Czikann.	[Seal]
	Joostens.	[Seal]
	B.J. Cologan.	[Seal]
	W.W. Rockhill.	[Seal]
	Beau.	[Seal]
	Ernest Satow.	[Seal]
	Salvago Raggi.	[Seal]
	Jiutaro Komura.	[Seal]
	F.M. Knobel.	[Seal]
	M. de Giers.	[Seal]
	Yi-Kuang.	[Seal]

Li Hung-chang.

[Seal]

Source: China's External Relations